

Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3/sc (Residential) zone.

This would permit an existing 38.2' by 13.8' addition of which a 38.2' by 7' portion (268 square feet) encroaches in the required rear yard setback and is located to within 18' of the rear property line.

The required front and rear yard cumulative setback total in the R-3/sc zone district is 50 feet.

BACKGROUND

The applicant is trying to legalize an existing addition to his house in order to sell the property. He says the addition was there when he purchased the house in 2004. He is in the process of obtaining a building permit.

CALCULATIONS

Permitted area of encroachment in required rear yard = 370 sq. ft. (24.66' [74' lot width ÷ 3] x 15' [3/5 of 25'])

Requested area of encroachment = 268 sq. ft. (38.2' x 7')

Required front and rear yard setback total = 50'

Requested front and rear yard setback total = 43'

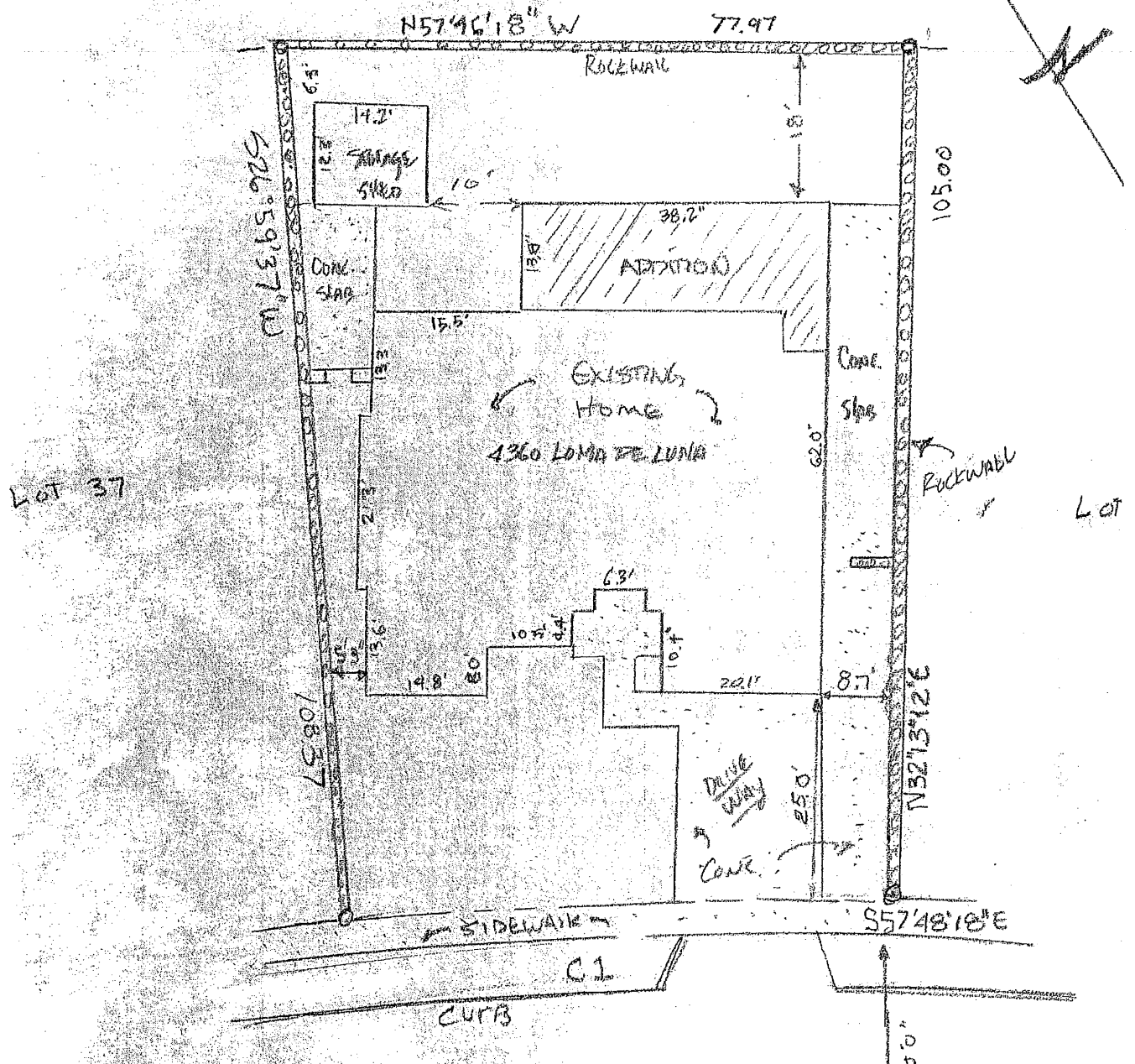
STAFF RECOMMENDATION

Staff recommendation is for approval of the request as it meets the requirements of the Special Exception C, with a condition that a building permit is obtained.

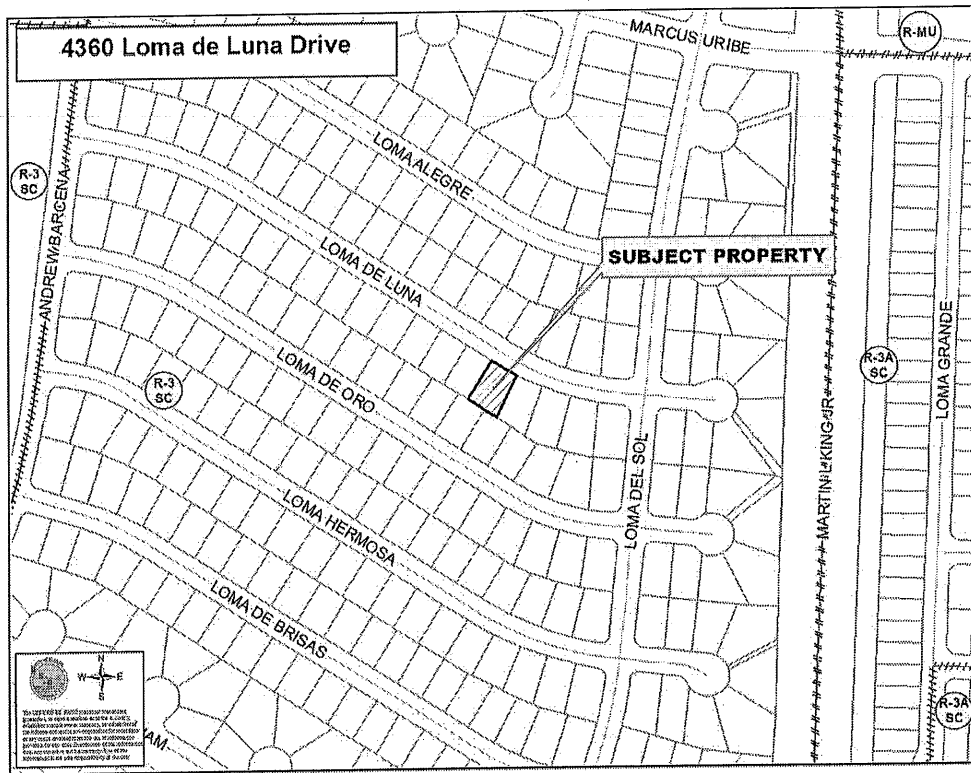
The Zoning Board of Adjustment is empowered under Section 2.16.050 C to:

"Permit an extension of a single-family residential structure into the required rear yard setback, which shall be measured to the rear property line; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard setback;
3. A minimum ten-foot rear yard setback shall be required;
4. The minimum side and side street yard setbacks shall not be reduced; and
5. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space."



ZONING MAP



NOTIFICATION MAP

